

## REMARKS

Responsive to the Office Action mailed on December 7, 2007 in the above-referenced application, Applicant respectfully requests amendment of the above-identified application in the manner identified above and that the patent be granted in view of the arguments presented. No new matter has been added by this amendment.

### Present Status of Application

Claim 9 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claims 1-16 are rejected under 35 U.S.C. 102(e) as being anticipated by Kaiwa et al (US 6490436, hereinafter "Kaiwa").

Claims 1, 2, 4 and 10 are amended. Support of the amendments can be found, for example, in Figs 3b and 6b, respectively, and corresponding portions of the application as originally filed. Claim 8 is amended to depend from claim 2. Applicant submits that the rejection of claim 9 under 35 U.S.C. 112 is thereby overcome. Claim 14 is amended to depend from claim 10. Claims 11-13 are canceled. Thus, on entry of this amendment, claims 1-10 and 14-16 remain in the application.

Reconsideration of this application is respectfully requested in light of the amendments and the remarks contained below.

### Foreign Priority Claim

Acknowledgment of Applicant's claim to foreign priority under 35 USC 119(a)-(d) or (f) and receipt of the certified copies of the priority document(s) is respectfully requested.

### Rejections Under 35 U.S.C. 102(e)

Claims 1-16 are rejected under 35 U.S.C. 102(e) as being anticipated by Kaiwa. To the extent that the grounds of the rejections may be applied to the claims now pending in this application, they are respectfully traversed.

The rejection of a claim for anticipation under 35 U.S.C. §102 requires that the prior art reference include every element of the rejected claim. Furthermore, as stated by the Federal Circuit, the prior art reference must disclose each element of the claimed invention "arranged as in the claim." *Lindermann Maschinenfabrik GMBH v. American Hoist and Derrick Co.*, 221 USPQ 481, 485 (Fed. Cir. 1984).

#### Claims 1-9

As amended, claim 1 recites a mobile phone comprising:

- a body;
- an engaging member, moveably disposed on the body, including a first rib having a first inclined surface, wherein ***the engaging member further includes a second rib having a second inclined surface facing the first inclined surface***; and
- a battery, detachably disposed on the body, including a first concave portion corresponding to the first rib, wherein the first rib is located in the first concave portion, and the battery is lifted by the first inclined surface so as to be separated from the body.

In the rejections, the Examiner identifies slide protrusion 22 and slide pawl 21 as the alleged first and second ribs of the claims.

Kaiwa discloses a portable telephone set having a battery pack 50 detachably engaged with a portable telephone set body 10. The portable telephone set body 10 has a slide knob 20. The slide knob 20 has a slide pawl 21 and is integral with a slide protrusion 22. As shown in FIG. 2, the slide pawl 21 has an inclined surface and a flat surface. Note that the surface of the slide pawl 21 facing the slide protrusion 22 is the flat surface. Thus, Kaiwa does not teach or suggest that the engaging member further includes a second rib having a second inclined surface facing the first inclined surface, as recited in claim 1.

For at least the reasons described above, it is Applicant's belief that the cited reference fails to teach or suggest all the limitations of claim 1. Applicant therefore respectfully requests that the rejection of claim 1 be withdrawn and the claim passed to issue. Insofar as claims 2-9 depend

from claim 1 either directly or indirectly, and therefore incorporate all of the limitations of claim 1, it is Applicant's belief that these claims are also in condition for allowance.

Claims 10 and 14-16

As amended, claim 10 recites a device for fixing a battery of a mobile phone, wherein the mobile phone includes a body and a battery, the battery includes a concave portion, and the device includes:

a main part moveably disposed on the body;

a first rib, integrally formed on the main part, including a first inclined surface, wherein the first rib is located in the concave portion, and the battery is lifted by the first inclined surface so as to be separated from the body; and

***a second rib, integrally formed on the main part, including a second inclined surface facing the first inclined surface;***

wherein the main part further includes a first surface and a second surface, a normal vector of the first surface is perpendicular to a moving direction of the main part, the first rib is formed on the first surface, a normal vector of the second surface is parallel with the moving direction of the main part, and the second rib is formed on the second surface;

***wherein a first angle is formed between the first inclined surface and the normal vector of the second surface, a second angle is formed between the second inclined surface and the normal vector of the second surface, and the first angle is smaller than the second angle.***

As noted above, Kaiwa does not teach or suggest that the second rib includes a second inclined surface facing the first inclined surface.

Furthermore, in Kaiwa, since the surface of the slide pawl 21 facing the slide protrusion 22 is the flat surface, an angle formed between the flat surface and the normal vector of the surface from which the slide pawl 21 is protruded is zero degrees. Thus, Kaiwa also fails to teach or suggest a first angle is formed between the first inclined surface and the normal vector of the second surface, a second angle is formed between the second inclined surface and the normal vector of the second surface, wherein the first angle is smaller than the second angle, as recited in claim 1.

For at least the reasons described above, it is Applicant's belief that the cited reference fails to teach or suggest all the limitations of claim 10. Applicant therefore respectfully requests that the rejection of claim 10 be withdrawn and the claim passed to issue. Insofar as claims 14-16 depend from claim 10 either directly or indirectly, and therefore incorporate all of the limitations of claim 10, it is Applicant's belief that these claims are also in condition for allowance.

Conclusion

The Applicant believes that the application is now in condition for allowance and respectfully requests so. The Commissioner is authorized to charge any additional fees that may be required or credit overpayment to Deposit Account No. **502447**.

Respectfully submitted,

/Nelson A. Quintero/

---

Nelson A. Quintero

Reg. No. 52,143

Customer No. 34,283

Telephone: (310) 909-8535

P129046NAQ